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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 000424

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E.O. 12958: DECL: 03/13/2016
TAGS: PGOV PREL KDEM CG
SUBJECT: RUBERWA STILL MULLING WITHDRAWAL
REF: A) KINSHASA 0383 B) KINSHASA 0358

Classified By: Ambassador Roger Meece. Reasons 1.4 (b/d).

¶1. (C) I met with Vice President Ruberwa at his residence late Monday morning, March 13, to discuss the ongoing debate about his and his party's (RCD-Goma) status in the Transition and electoral process. Only Ruberwa Chief of Staff Jean-Marie Emungu was also present, and Emungu confined himself to taking notes without comment. Ruberwa laid out his basic complaints, as described reftels, and added a new one - that President Kabila had refused to issue decrees appointing designated RCD-Goma candidates as Deputy Reserve Bank Governor and director of the immigration service (DGM). (Note: Ruberwa has nominated Emungu for the Reserve Bank post. End note.) The appointments are per a "sharing" deal long worked out among the Transition parties, and Kabila recently issued decrees for the other parties, various nominations. How, Ruberwa asked, can one continue to deal with such obvious bad faith? He asserted that it is all of this that has led to the "logic" of possible withdrawal from the process. The Monday meeting took place following Ruberwa's "boycott" of a Friday session of the Council of Ministers.

¶2. (C) Ruberwa also reported that he will be presiding over a party founders, meeting scheduled to start Monday afternoon, March 16. He asked for all efforts possible to obtain whatever concessions are possible from the President before the afternoon meeting.

¶3. (C) I walked through the various issues with Ruberwa, starting with the Minembwe (Banyamulenge) territory and assembly representation problems (see ref a for more details of the issue and talks already held). While agreeing that representation is a critical issue for the period following elections, I noted the promulgation of the electoral law limited some options legally. Other options, however, I know had been discussed. Could one or more of those not be used as the basis for an "intermediate" action, while deferring the discussion over territory status until after elections? I did not see how further action regarding the proposed territory was possible now, but such a deal could keep the issue forward for the post-election assembly. Other changes in provinces and territories were certainly already in the cards post-elections in any event. Ruberwa acknowledged that Kabila had given assurances of future consideration to a South African delegation in town, and possibly other international visitors, to try to negotiate the problem, but returned to the question of how such a person could be trusted when he had already broken his promises. I noted engagements to respected international parties, potentially to include President Mbeki (due in town March 16) and CIAT members represented a significant difference to that of a

Kabila private, personal commitment which Ruberwa said he previously had obtained. I also noted that discussion of this issue could have evolved differently several months ago.

¶4. (C) More significantly, I spoke at some length of the need for Ruberwa and his party to stay engaged, for himself, for the party, and for the Congolese people, most especially the people of his home eastern region. Clearly there are major problems remaining, including pressing issues of discrimination and reconciliation affecting the Banyamulenge and other Kinyarwanda-speaking peoples in the DRC. These problems would not be helped by withdrawal - just the opposite. Further, a lot had already been done. While the process was obviously very much incomplete, a substantial start had been made. That should not be thrown away. While I recognized the enormous problems and frustrations he felt, from my perspective, Ruberwa himself had something unique and valuable to offer to the government, and the Congolese people. He should stay involved. As for the two pending appointments, surely some way could be found to solve this problem.

¶5. (C) Ruberwa listened carefully, neither agreeing with the conclusions nor challenging my statements. He engaged in an extended discussion of possibilities, always emphasizing the need for concessions from the Presidency, while never specifying his specific intentions.

¶6. (C) Comment: Ruberwa is likely to have a difficult afternoon party meeting. Embassy officers have been maintaining very active recent discussions with RCD-Goma officials (and others) and there are substantial indications

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that a majority of the RCD-Goma founders are not ready to move to full suspension, hard-liners such as Bizima Karaha notwithstanding. Ruberwa runs the risk of losing party control should he be inclined to try to insist on withdrawal, although the outcome obviously depends on the tenor of what is likely to be heated discussion during the party meeting. It seems clear to me that Ruberwa feels personally offended; that he has been wronged. The political logic of the situation, however, would indicate that he should negotiate to get all he can from the PPRD while maintaining his overall participation. Ruberwa may be resigned to that, and that may well be the thrust of his efforts at this point. EU Special Envoy Ajello was waiting to see Ruberwa as I left, and presumably Ruberwa is attempting to use all levers available to press his points. In our view, Kabila's men erred in refusing to execute the two pending RCD-Goma appointments. They are probably trying to use the appointments as further leverage, but it overplays their hand, risking making Kabila look like the hard-line holdout in a deal long since negotiated. We will press this issue with the Presidency, but it clearly will not be resolved this afternoon. We feel reasonably confident this can be dealt with pending an RCD-Goma decision to continue to participate in the process. The designation of Minembwe as a territory now is simply not politically feasible, and in practical terms will have to await future discussion after the elections. Representation, however, can be worked out, as described ref A. Ruberwa often approaches problems as the lawyer that he is, not utilizing the best political tactics. Such is certainly the case here. He is clearly under stress from the pressures of Kabila's party, as well as those from within his own party. I greeted Ruberwa's wife at the house, who apparently returned about a week ago from the U.S. on a rare visit, although the couple's children remain in school in Virginia. I assume she returned to help him out through this difficult period.

¶7. (C) Comment cont'd: While Ruberwa's personal sense of outrage over perceived broken promises may yet drive him to imprudent action, we think it more likely the party will decide on some half-measures this evening, possibly

"suspending participation" symbolically in some aspects of Transition government operations, while maintaining engagement with the election process. This latest crisis certainly underscores at minimum once again the necessity for continued active engagement by the international community with all players to keep them more or less on the path toward elections, and thereafter as a new, hopefully more coherent future government, is established. End comment.

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